App F.IX-4]

1925.

File No. 147/1925

Previous References (nil)

Serial Nos. 1 - 2

Later references.
GMC 34-25-3-10

(16)

GENERAL AND REVENUE SEC

Serial Nos. 1 - 2

Part B for December 1925

SUBJECT

Rejects the review-application of Sri Nilamadhab Nath for a re-examination of the G.O. relating to the rejection of the appointment of an Mohakib to Sri. Dhirendranarayan Swamy temple at Chickpet for non-production

No. 745 dated 14.12.1925.

To the Petitioner. -

G. R S. 11] 1912.5

GENERAL AND REVENUE SECRETARIAT.

Mug.

NOTES.

File No. 147 1925

FILE HEADING.

Archaka Ship of Sri Anjaneya Swamy temple in the Attaradi Matt Building at Chickpet, Bangalore.

From

Navaratna Subba Rao and Jayachar, Agents of the Matt.

Review-application Dated 9. 11. 25. Received

Diary No. 585	Enclos. / Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Prays for a re-consideration of G.O. no. 1878 - Mug. 50-28-6 dt 27.6.1925 rejecting the appeal from Subba Rao claiming the right of the appointment of an Archaka to the said temple

NOTES AND ORDERS.

The Petition is duly stamped. Suit under Sanction to be received was passed on 27-6-1925. The review-application was received on 10-11-1925. It is

NOTES—First Sheet.

Serial No

act of time. The petrs explain that the order of Govt was not communicated to them in consequence of which, there was delay in filing the review and pray that their application may kindly be admitted.

2) Mus. T. no. 50-23 on the subject is submitted. The Office note explains the facts of the case.

3) As the matt did not produce any evidence whatever to show that the Swamy has the right to appoint an Archak to the said temple, the appeal pet was rejected under order of the member (Vide member minutes dy 25.5.1925) and these orders were conveyed in Pro. no. 18778 dy 27.6.25)

dy. 9)

4) The matt Agents pray for a re-consideration of this order. The grounds no urged for a re-consideration had already been put forward and no new facts are set forth by the matt. In the review application [illegible] orders solicited

9

Note—Contn Sheet

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File No. of 192 .

General and Revenue Secretary

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NOTE—Contn. Sheet

[App. F. III—2

...nd Revenue
...ecretariat

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Serial No

6) In para 4 of the review-petition the Mahl say that if the premises under cannot be modified, the Suit may remove the 1st Opponent Padmavati Bai from Archaka ship on payment by the Mahl of a Suitable Compensation under Sec. 36 of the Mad. Regn. Padmavati Bai is according to the premises under and the findings of the Local Officers, the hereditary Archaka of the temple. The Mahl who have failed to substantiate their right to the appointment of an Archaka, pray for the removal of the hereditary Archaka on Suitable Compensation and it is a point for Consideration whether the prayer can be granted deserves any consideration

7) A stay under is also prayed for pending disposal of the review-application. Submitted for orders

The review application was filed nearly 5 months after the 24.11.25. the order sought to be reviewed - but is vaguely stated in the affidavit, it may perhaps be admitted

Note—Contn. Sheet

In the order sought to be reviewed the hereditary right ... recognised

App. F. III—2]

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General and Rever
Secretas at

Serial No.	

NOTE—Contn. Sheet

Serial No

women to archakship of temples, tho' as a matter of fact there are difficulties in such ~~eg~~ recognition; and a file on this subject is pending with the first member who was pleased to say personally to me that he would consider whether the present provision of the Mirasi Regulation does not require to be amended in this respect. However that may be, Govt have recognised the right of Padmavati Bai to archakship of this temple and have ~~passed~~ her sumarta Ramachar to do the duties of archak in the institution.

9) The agent of the male brings a charge of bad character against the archak, and if the ~~charge~~ charge is substantiated, such an archak should ~~be set aside~~ make room for a better man. ~~The~~ The male agent ~~has~~ shown says in his ~~letter~~ letter that the male is prepared to pay some reasonable compensation to Padmavati Bai for a renunciation of her rights to archakship. After all, a female heir is entitled only to a small portion not more than a third — of the remuneration allotted to the post; and perhaps it is

Note—Contn. Sheet

App. F. III—2]

WD 0569—GPB—40,000—31 7-25

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NOTE—Contn. Sheet

Serial No

may be prepared to accept the remuneration offered & renounce her right in favour of [illegible]. The mall building has been rebuilt by the mall at very great cost and even thro' the [illegible] is a Mug Insp^r and the anchak therefore has to be appointed by the Mug Govt, yet in a case like this, it would avoid unnecessary friction & unpleasantness if the mall authorities are consulted in the matter of the appointt of an anchak. (as pointed by the Hon'ble [illegible] Vide para 4 of the Mug Com^r letter, no C 710 of 23. 24 & 27. 3. 25, in the mun file no. 2, C/M: placed below)

10) The review appln may be sent to the Mun Com^r for report with records, on the points raised in the Rev^n.

11) This seems to be a case in which acting under may perhaps be given pending further orders of Govt on the review pt

25/11/25

12) It may be a good thing to have an

and assume the conduct of service in the temple

Note—Contn. Sheet

WD 0569—GPB—40,000—31-7-25

App. F. III—2]

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General and Revenue Secretariat

Serial No.	

NOTE—Contn. Sheet

Serial No

with the Mutt

management of the temple. But Experience
cannot override hereditary rights.
Padmavathi Bai is archak by right.
Once she is at perfect liberty to appoint
her own gumastha, if he is acceptable
with Govt. As regard the suggestion that
she may renounce the claim in favour
of the Mutt for a compensation, that
is a matter that cannot be passed upon
her. ~~If the Mutt~~ It is a matter between
the Mutt & the claimant. Govt cannot
consider the matter when one presents
a written representation before them. As
regards the charge of bad character made against
the archak, it cannot be accepted at
the hands of the Mutt authorities merely,
so long as it is not made by the trustees of
the temple. Further it is always open
to any trustee to put in an application
with effect to the day, who will,
if the charge is substantiated, remove
the person and ask the Board to
select another. But the charge cannot
form a valid ground in favour of the
Mutt, as it cannot give them a right
which they cannot otherwise substantiate
The papers may be submitted

28.11.25.

Rev Secy) I agree with the asst Secy.

13/ Re - the alternative suggestion of the Asst Secy

Note—Contn. Sheet

App. F. III—2]

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NOTE—Contn. Sheet

Serial No

of Compensation to the hereditary archak, it is open to the appellants to apply to the Commissioner for giving option under Section 36 of the Act Rep. First Court pass any orders on this prayer.

721/29.11.25

(1st member) K 27/4

14) I agree. D 28/11/25

Draft endorsements may be put up for formal approval

K 1/12

Sd/- 20/11 D 30/11/25

15) Put up with connected

AV 2-12-25 Sd/- 2/12/25

D 2.12.25

Rev. Sec. 1st member K 7/12

194/8.12

D 8.12.25

16) K 7/12 Sd/- K 9.12 MD 10/12

2 Endt to Sir N. Subba Rao and Rao. Jayachan, Agents of the Rao of Rao. 745 dt 14-12-25. States that there are no

Note—Contn. Sheet

Serial No.	

NOTE—Contn. Sheet

WD 01264—GPB—40,000—17-12-25

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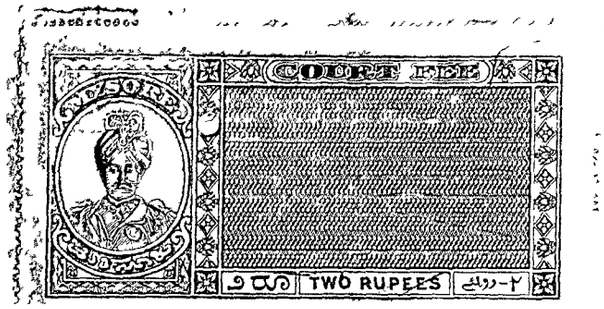
Serial No.

grounds for a re-consideration of the previous order, and direction to the Mujrai Officer re the alternative prayer for the renewal of the hereditary Mehtar on payment of compensation.

2/18



NOV 22
MUZR

Mug 147-25-1

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

———:O:———

Muzrai Review Petn. No. of 1925-26.

Petitioners:- (1) K. Gurja Anjaneyacharya, Diwan of Uttaradi Mutt, Bangalore City

(2) Navaratna Subba Rao, Agent of Sri Uttaradi Mutt, residing at Chikpet, Bangalore City.

Vs.

Opponents:-

(1) Padmavati Bai, Widow of late Sripadachar, residing at Malavalli.

(2) D. Ramachar, residing at Khandappa's Choultry, Bangalore City.

Presented by M. D. Shamanna Advocate for petn. 2 9.11

The petitioners above-named beg to state as follows:-

Facts of the case.

1. The temple of Sri Anjaneyaswami is situate in the Uttaradi Mutt Building at Chikpet, Bangalore City, The idol was formerly in the place known as Vyasa Thirtha prior to the year 1807 and in that year the then Swamiji of Uttaradi Mutt brought it from that place and installed it in the present place (vide copy of the Jama Kharch Patti of the Bangalore Taluk herewith produced). The Government have no doubt treated this as a Muzrai Institution and are paying a cash grant of Re. 1-12-2 etc per mensem for the performance of puja.

puja

2. The temple has been entirely under the control of the Uttaradi Mutt from the very beginning. The Mutt has been getting the puja performed by its own archak. One Srinivasachar was performing the puja in the year. (Vide copy of the Jama kharch patti for the year which will be ~~herewith~~ produced). After him one Jeyachar, the adopted son of that Krishnachar who belonged to the said Srinivasachar's family was performing the puja up till his death. After his death Katte Sripadachar appears to have claimed the office for himself as being the nearest heir to the said Jeyachar and obtained an order from the Government in the year 1908 appointing him as archak of the temple without consulting the wishes of the Mutt. As he was performing the puja satisfactorily, the Mutt, however, approved of his appointment in its letter dated in which it has been clearly stated that a cash grant of Rs. 24/- per annum would be paid to the archak for the celebration of Ramotsavam and that provision had been made for his residence also in the Mutt buildings. There is absolutely no documentary evidence on record to show that prior to the year 1908, the Government ever appointed any one as archak of the temple. These circumstances will clearly show that the Mutt has been exercising its powers of appointment, supervision and control over the archak and other temple servants if any.

3. The said Sripadachar died in the year leaving behind him his Widow, the 1st opponent

opponent only. The Mutt then appointed one of its disciples as archak and was getting the puja performed by him. The 1st opponent then put in a petition to the Deputy Commissioner, Bangalore District, stating that the office of archak should be registered in her name and that her nominee the second opponent should be permitted to do the duties. The Deputy Commissioner was pleased to order accordingly. The 2nd petitioner then approached the Government who were also pleased to confirm the same in their Order No. 1878/Muzrai 50-23-6 dated the 27th June 1925. The petitioner has now presented this petition to the Government for reconsideration of their order on the following grounds:-

(a) Inasmuch as the temple was originally built at the cost of the Mutt and was subsequently improved a few years ago at considerable cost by the Mutt itself without the Government contributing a pie towards it and inasmuch as the idol was installed in the present place by the previous Swamiji in the year 1807 and inasmuch as the persons appointed by the Mutt have been performing the puja, the finding of the Government that the Mutt has no right to appoint the archak of the temple is not correct.

(b) The findings of the Government that the appointment of the late Archak Katte Sripadachar was ordered by Government without reference to the Mutt and that the Mutt's claims were not then pressed before or recognised by Government are also not tenable inasmuch as the said order was passed without notice to the Mutt

Mutt and inasmuch as the Mutt subsequently approved of the said appointment and permitted the said Sripadachar to perform the puja. It is neither fair nor equitable to deprive the Mutt of its powers of appointment, of supervision and control over the temple servants from this circumstance alone.

(c) The petitioners submit that supervision and control by the Mutt will greatly add to the efficiency of service in the temple.

(d) Even in the Inam Settlement Register it is clearly stated that the temple in question is in possession of the Manager. This clearly shows that the Mutt alone is the Manager and not archak for the time being.

(e) The first opponent being a female is quite unfit to be the Pujari of the temple. She being issueless, no useful purpose will be served by giving her any right to the office. Moreover, if she is given the power to appoint her own nominee for the performance of puja, it will work detrimentally to the interests of the institution itself as she will force upon the Mutt and devotees of the temple an undesirable person as Archak.

(f) The appointment of the second opponent as pujari of the temple is very undesirable as he is not a man of good character and as the devotees of the temple object to the performance of puja by him.

4. If the Government are not pleased to confer on the Mutt the powers of appointment, supervision and control over the Archak, the Government may be pleased to remove the 1st

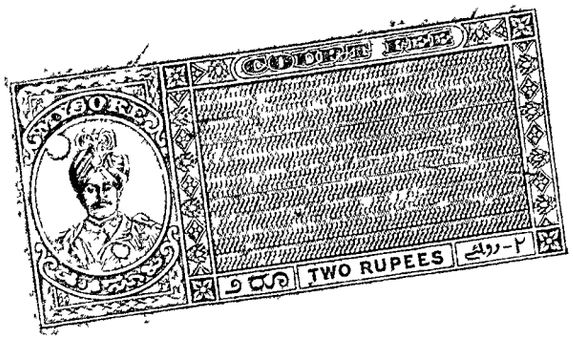
1st opponent from Archakship on payment to her by the Mutt of such amount by way of compensation as may be fixed by the Muzrai Officer under Section 36 of the Mysore Muzrai Regulation. The Mutt is prepared to appoint a proper person for the performance of puja quite acceptable to the Government also.

Wherefore, the petitioners respectfully pray that the Government may graciously be pleased to set aside the order already passed.

In view of the fact that a Warrant for delivery of possession of the temple to the 2nd opponent has already been issued by the Amildar, the petitioners further pray that the Government may be pleased to direct the stay of proceedings until disposal of this petition.

The order referred to above passed by the Government was not communicated to the 2nd petitioner above. He came to know of the order only recently from the 2nd opponent who attempted to take possession of the temple. This petition is therefore in time and the petitioners pray that this petition may kindly be admitted and posted for hearing.

Bangalore



~~In the Court of the~~ Before the Government of His Highness the Maharaja of Mysore at Bangalore

Murzai Revision CASE NO OF 1925-1926.

Appellant Plaintiff.		*Respondent Defendant.*
(1) K. Jayarayachetty	Vs.	1 Padmavathi Ammal
(2) Narasimha Subbarao		2 D. Ramachar

We, the petitioners above named do, by these presents, retain Mr. D. Ramachandra Rao B.A. B.L. advocate to appear and conduct the above case on our behalf to judgement.

2. We further empower them to do all necessary acts in the above case, to execute any decree or order that may be passed in our behalf and to receive from the Court all documents, refunds, and all sums of money that we may be entitled to get and grant receipts therefor.

3 We also undertake to confirm and ratify all the acts done by the said advocates or by any other Advocate on their behalf in so doing.

BANGALORE,
.....192 .

Accepted.

Personally known to me and signed in my presence.

Advocate

SRI VENKATESA PRESS, B CITY.

15

APP. F. VI. Gl.]

SUBJECT.....

Section Mez

File No. 147-25

Seria No. 2

Diary No. of letter replied to.....

No. 745

To .....

General and Revenue Secretariat

( )

the 192

Subsequent Grants to Mr. Vanaratna Subba Rao and Ven. Jayachar, Agents of Sri Vanadi Math, Bangalore, with ref. to Their review-application Reg no. 585 of 9-11-25 praying for a re-consideration of G.O. no. 1878/Mez. 50-23-6 of 27-6-1925 rejecting The claim of The Math to The [illegible] of an Area [illegible]

Date of issue.....14-12-1925.

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

over

WD 0562—GPB—31,000—17-8-25

16

Sri Anjaneya Swamy
temple in the Nunadi
matt building at Chickpet
Bangalore

The pets are informed
that ~~there are~~ no forms
~~forms~~ for a re-
consideration of the previous
order on the subject and to convey the
~~and that their earlier~~ ~~application is accordingly~~ rejected.
Re the alternative
prayer for grant of
compensation ~~the~~
it
~~is open to the pets~~ should
~~may apply to the Concerned~~
Mun. Officer under Sec. 36
of the Mun Regn
that ~~suit~~ cause
any order
the Board

Bly 2.12.25.
Bly 7.12.25
Rec'd 7.12.25